

MAR 29 2002

Applicants

TRADEMARK OFFICE

THE UNITED STATES PATENT AND TRADEMARK OFFICE

Van Barlow, et al.

Serial No. : 10/017,746

COPY OF PAPERS  
ORIGINALLY FILED

Filed : December 7, 2001

For : COATED STAPLE AND FASTENING TOOL FOR THE SAME

Examiner : Not yet assigned

Art Unit : 3721

Attorney  
Docket No. : 510P004

Assistant Commissioner of Patents and Trademarks  
Washington, D.C. 20231

Attention: Box Missing Parts

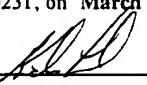
Sir:

The "Notice to File Missing Parts of Application - Filing Date Granted" dated January 24, 2002 (copy of which is attached hereto for the convenience of the Application Branch) has been received. In response thereto there are filed herewith the following items:

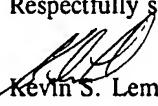
1. A Declaration in compliance with 37 CFR §1.63, identifying the application by name of inventor, title of invention, serial number and filing date, properly signed by the inventor (3-Pages).
2. Power of Attorney (2-Pages).
3. Formal Drawings (5-sheets).
4. Correction of Filing Receipt (1-Page).
5. Fee transmittal Form, together with a check in the amount of \$65.00 in payment of the surcharge for late filing.

The Commissioner is hereby authorized to charge payment of any additional fees associated with this communication or credit any overpayment to Deposit Account 14-0930. A duplicate copy of this sheet is attached.

I hereby certify that this correspondence  
is being deposited with the United States  
Postal Service as first class mail in an  
envelope addressed to: Commissioner of  
Patents and Trademarks, Washington D.C.  
20231, on March 21, 2002

  
Signature: Kevin S. Lemack  
Date: March 21, 2002

Respectfully submitted,

  
Kevin S. Lemack  
Attorney for Applicants  
Registration No. 32,579  
Nields & Lemack  
176 E. Main Street  
Westboro, MA 01581  
TEL: (508) 898-1818



## UNITED STATES PATENT AND TRADEMARK OFFICE

MAR 29 2002

JCA  
1207/2001

JAN 28 2002

COMMISSIONER FOR PATENTS  
 UNITED STATES PATENT AND TRADEMARK OFFICE  
 WASHINGTON, D.C. 20231  
[www.uspto.gov](http://www.uspto.gov)

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/017,746	1207/2001	Van Barlow	510P004

COPY OF PAPERS  
 ORIGINALLY FILED DOCKETING

Kevin S. Lemack  
 Nields & Lemack  
 176 E. Main Street  
 Westboro, MA 01581

3-24-07  
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 Dec Due  
 w/ Dease

CONFIRMATION NO. 8798

FORMALITIES LETTER



\*OC000000007354320\*

Date Mailed: 01/24/2002

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 65.**

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Substitute drawings in compliance with 37 CFR 1.84 because:
  - drawing sheets do not have the appropriate margin(s) (see 37 CFR 1.84(g)). Each sheet must include a top margin of at least 2.5 cm. (1 inch), a left side margin of at least 2.5 cm. (1 inch), a right side margin of at least 1.5 cm. (5/8 inch), and a bottom margin of at least 1.0 cm. (3/8 inch);

*A copy of this notice **MUST** be returned with the reply.*

Multimarket Hibret

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

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UNITED STATES PATENT AND TRADEMARK OFFICE

MAR 29 2002

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TRADEMA

KGC/P1  
Page 1 of 2  
JAN 28 2002  
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UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTY.DOCKET.NO	DRAWINGS	TOT CLAIMS	IND CLAIMS
10/017,746	12/07/2001	3721	370	510P004	5	13	3

CONFIRMATION NO. 8798

FILING RECEIPT



\*OC000000007354319\*

Kevin S. Lemack  
Nields & Lemack  
176 E. Main Street  
Westboro, MA 01581

Date Mailed: 01/24/2002

Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Customer Service Center. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

*new Hampton, NH*  
Van Barlow, ~~Residence Not Provided~~  
*Onno Boswinkel, Merrimack, NH*

*Robert Haynes, Bristol, NH*  
*Richard Gold, Weston, MA*

Domestic Priority data as claimed by applicant

Foreign Applications

If Required, Foreign Filing License Granted 01/24/2002

Projected Publication Date: To Be Determined - pending completion of Missing Parts

Non-Publication Request: No

Early Publication Request: No

\*\* SMALL ENTITY \*\*

Title

Coated staple and fastening tool for the same

Preliminary Class

227



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Please type and sign (+) inside this box →

PTO/SB/21 (08-00)

Approved for use through 10/31/2002. OMB 0651-0031  
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

# **TRANSMITTAL FORM**

*(to be used for all correspondence after initial filing)*

<b>TRANSMITTAL FORM</b>		Application Number	10/017,746	
		Filing Date	December 7, 2001	
		First Named Inventor	Van Barlow	
		Group Art Unit	3721	
		Examiner Name	Not yet assigned	
Total Number of Pages in This Submission		16	Attorney Docket Number	510P004

**ENCLOSURES (check all that apply)**

<input checked="" type="checkbox"/> Fee Transmittal Form <input checked="" type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input checked="" type="checkbox"/> Response to Missing Parts/ Incomplete Application <input checked="" type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an Application) <input checked="" type="checkbox"/> Drawing(s) Formal 5-sheets <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input checked="" type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): <p style="margin-left: 20px;">-Copy of missing parts notice dated 1/24/02 -Executed Declaration -Corrections to Filing Receipt.</p>
<div style="border: 1px solid black; padding: 2px; width: 100%;">Remarks</div>		

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm or Individual name	Kevin S. Lemack Nields & Lemack
Signature	
Date	March 21, 2002

**CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Washington, DC 20231 on this date:

Typed or printed name	Kevin S. Lemack	Date
Signature		March 21, 2002

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

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PTO/SB/17 (10-01)

Approved for use through 10/31/2002. OMB 0651-0032

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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**FEES TRANSMITTAL  
for FY 2002**

*PATENT & TRADEMARK OFFICE*

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT	(\$ 65.00)
-------------------------	------------

**Complete if Known**

Application Number	10/017,746
Filing Date	December 7, 2001
First Named Inventor	Van Barlow
Examiner Name	Not yet assigned
Group Art Unit	3721
Attorney Docket No.	510P004

**METHOD OF PAYMENT**

1.  The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number **14-0930**

Deposit Account Name **Nields & Lemack**

Charge Any Additional Fee Required  
Under 37 CFR 1.16 and 1.17

Applicant claims small entity status.  
See 37 CFR 1.27

2.  Payment Enclosed:

Check  Credit card  Money Order  Other

**FEE CALCULATION**

1. **BASIC FILING FEE**

Large Entity Small Entity

Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid
101 740	201 370	Utility filing fee	
106 330	206 165	Design filing fee	
107 510	207 255	Plant filing fee	
108 740	208 370	Reissue filing fee	
114 160	214 80	Provisional filing fee	

SUBTOTAL (1) (\$)

2. **EXTRA CLAIM FEES**

Total Claims	Independent Claims	Multiple Dependent	Extra Claims	Fee from below	Fee Paid
			-20** =	X	=
			-3** =	X	=

Large Entity Small Entity

Fee Code (\$)	Fee Code (\$)	Fee Description
103 18	203 9	Claims in excess of 20
102 84	202 42	Independent claims in excess of 3
104 280	204 140	Multiple dependent claim, if not paid
109 84	209 42	** Reissue independent claims over original patent
110 18	210 9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$)

\*\*or number previously paid, if greater; For Reissues, see above

**FEE CALCULATION (continued)**

3. **ADDITIONAL FEES**

Fee Code (\$)	Fee Code (\$)	Large Entity	Small Entity	Fee Description	Fee Paid
105 130	205 65	Surcharge - late filing fee or oath		\$65	
127 50	227 25	Surcharge - late provisional filing fee or cover sheet			
139 130	139 130	Non-English specification			
147 2,520	147 2,520	For filing a request for ex parte reexamination			
112 920*	112 920*	Requesting publication of SIR prior to Examiner action			
113 1,840*	113 1,840*	Requesting publication of SIR after Examiner action			
115 110	215 55	Extension for reply within first month			
116 400	216 200	Extension for reply within second month			
117 920	217 460	Extension for reply within third month			
118 1,440	218 720	Extension for reply within fourth month			
128 1,960	228 980	Extension for reply within fifth month			
119 320	219 160	Notice of Appeal			
120 320	220 160	Filing a brief in support of an appeal			
121 280	221 140	Request for oral hearing			
138 1,510	138 1,510	Petition to institute a public use proceeding			
140 110	240 55	Petition to revive - unavoidable			
141 1,280	241 640	Petition to revive - unintentional			
142 1,280	242 640	Utility issue fee (or reissue)			
143 460	243 230	Design issue fee			
144 620	244 310	Plant issue fee			
122 130	122 130	Petitions to the Commissioner			
123 50	123 50	Processing fee under 37 CFR 1.17(q)			
126 180	126 180	Submission of Information Disclosure Stmt			
581 40	581 40	Recording each patent assignment per property (times number of properties)			
146 740	246 370	Filing a submission after final rejection (37 CFR § 1.129(a))			
149 740	249 370	For each additional invention to be examined (37 CFR § 1.129(b))			
179 740	279 370	Request for Continued Examination (RCE)			
169 900	169 900	Request for expedited examination of a design application			

Other fee (specify) \_\_\_\_\_

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$)

**SUBMITTED BY**

Name (Print/Type)	Kevin S. Lemack	Registration No. (Attorney/Agent)	32,579	Telephone	(508) 898-1818	
Signature					Date	March 21, 2002

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

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